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the Paperwork Reduction Act of 1995	. no person:			ormation unles	s it displays a valid OMB control number.		
TRANSMITTAL		Filing Date	January 1	3, 2004			
FORM		First Named Inventor		oley, et al.			
		Art Unit	3731		· · · · · · · · · · · · · · · · · · ·		
		Examiner Name	Unassigne				
(to be used for all correspondence after initial	filing)	Attorney Docket Number	 				
Total Number of Pages In This Submission		, money 500mot 10mm501	MSDI-223	MSDI-223/PC444.06			
ENCLOSURES (Check all that apply)							
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53		Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on C	Address	Approf A	ceipt Postcard; Copy of Cited		
	TURE O	F APPLICANT, ATTO	RNEY, O	R AGENT			
Firm Name Signature Printed name							
Date Brad A. Schepers			Pog No				
December 29, 2005			Reg. No.	45,431			
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Typed or printed name Brad A. Schepers	40/		<u> </u>	Date	December 29, 2005		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Foley et al.)	Unassigned
· ,)	
Application Serial No. 10/756,970)	Group Art Unit 3731
)	
Filed January 13, 2004)	Ref. No. MSDI-223
)	
SURGICAL INSTRUMENTATION AND)	December 29, 2005
METHOD FOR TREATMENT OF THE SPINE)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. §1.56, Applicant wishes to bring to the attention of the Examiner the following patents, publications and/or other information listed on the attached PTO Form 1449.

This information has not heretofore been cited by the Examiner. Required copies of the cited foreign patent references and non-patent references are provided herewith where applicable. The filing of this Supplemental Information Disclosure Statement shall not construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56.

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December 29, 2005

Date of Deposit

Name of Registered Representative

Signature

December 29, 2005

Date of Signature

This Statement is being submitted under 37 C.F.R. 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, no fee is believed to be due. However, should any fee be required, please charge such fee to Deposit Account No. 12-2424, but not to include payment of any issue fees.

Respectfully submitted,

Brad A. Schepers

Reg. No. 45,431

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Doc.667542



PTO/SB/08A (07-05)
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/756,970			
Filing Date	January 13, 2004			
First Named Inventor	Kevin T. Foley, et al.			
Art Unit	3731	1,		
Examiner Name	Unassigned			
Attornou Docket Number	MCDI 222/DC444 OC			

Examiner	Cite	Document Number	Publication Date	T DOCUMENTS Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Document Number	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant
		Number-Kind Code ^{2 (If known)}			Figures Appear
		^{US-} 5,197,971	03-30-1993	Bonutti	
		^{US-} 5,235,966	08-17-1993	Jamner	
		^{US-} 5,454,365	10-03-1995	Bonutti	
		^{US-} 5,620,458	04-15-1997	Green et al.	
		^{US-} 5,638,997	06-17-1997	Hawkins et al.	,
		^{US-} 6,228,022	05-08-2001	Friesem et al.	
		^{US-} 2002/0026195 A1	02-28-2002	Layne et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document ,	Pages, Columns, Lines, Where Relevant Passages	T .
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ₆
		EP 1 293 228 A2	03-19-2003	Terumo Medical Corp.		
		WO 2004/049961 A1	06-17-2004	OTIS-BIOTECH CO., LTD.		
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Examiner Signature		Date Considered	

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